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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,979	01/25/2002	Akihiro Denda	107156-00093	8791

7590

06/04/2004

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EXAMINER

KIM, HAROLD J

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/054,979

Applicant(s)

DENDA ET AL.

Examiner

Harold Kim

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

  
FRITZ FLEMING  
PRIMARY EXAMINER  
GROUP 2100

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office Action is in response to the filing of the Amendment B, Paper # 7, on 3/18/2004, has been considered but they are not persuasive. Accordingly, this action is made **FINAL**.

2. Claims 1-3 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuen, US Patent no. 5,659,367.**

5. In re claim 1, Yuen shows a switchover device [700, 740 in fig 20] for effecting a switchover control [700, 740 in fig 20] among a plurality of information sources [702, 704, 733] as well as among a plurality of information processing devices [742, 14, other appliances in fig 20], such that information transmitted from the plurality of information sources are supplied to the plurality of information processing devices in a predetermined manner, the switchover device comprising:

a plurality of input terminals [702, 730, 733] connected with the plurality of information sources [702, 704, 733];

a first output terminal [output terminal to TV in fig 20] and a second output terminal [output terminal to recorder in fig 20] connected with the plurality of information processing devices [14, 742];

switchover connection devices [700, 740] for effecting switchover connection between the plurality of input terminals on one hand and the first, second output terminals on the other; and

a switchover control device [700, 740 including controller in fig 20] for controlling the switchover of the switchover connection devices;

wherein during a process in which an information transmitted from one information source is supplied to the plurality of information processing devices, once there is an interrupt request [908-912 in fig 22A] for supplying an information transmitted from another information source to the information processing devices, the switchover control device operates to control switchover connection device to stop a connection between the first output terminal and one input terminal connected with said one information source, and to form a connection between the first output terminal and another input terminal connected with said another information source, further to keep a connection between the second output terminal and an input terminal connected with said one information source [figs 22A and 22B, especially 911, 912 and 916 in fig 22B].

6. In re claim 2, Yuen shows a memory [911, 914 and 920 in figs 22A and 22B] for storing a switchover connection state of the switchover connection device when one information transmitted from said one information source is supplied to the plurality of information processing devices, and is provided such that once the interrupt request is cancelled, the switchover control device operates to return the switchover connection device to its former state (a state existing prior to the occurrence of the interrupt

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request) in accordance with a switchover connection state stored in the memory [920 fig 22B].

7. In re claim 3, Yuen shows an information processing device connected with the first output terminal is an audio reproducing/outputting device [14 in fig 20] for audio-reproducing/outputting an information, an information processing device connected with the second output terminal is a recording device [742 in fig 20] for recording an information, an information source in relation with an interrupt request is a signal reception device [908-912 in fig 22A].

### ***Response to Arguments***

Applicant's arguments have been fully considered but they are not persuasive.

In the remarks, applicants argued in substance that (1) Yuen does not show during a process in which an information transmitted from one information source is supplied to the plurality of information processing devices, once there is an interrupt request for supplying an information transmitted from another information source to the information processing devices, the switchover control device operates to control switchover connection device to stop a connection between the first output terminal and one input terminal connected with said one information source, and to form a connection between the first output terminal and another input terminal connected with said another information source, further to keep a connection between the second output terminal and an input terminal connected with said one information source.

Examiner respectfully traverses applicants' remarks.

As to point (1), Yuen shows an information processing devices [recorder 742, and TV 14 in fig 20] is connected to cable box [730]. In addition, Yuen also shows that, while the recorder is connected to the cable box, the television guide data can then be recalled and displayed on television 14 via the on-screen display controller 756 [col 22, lines 1-3].

### ***Conclusion***

Applicant's arguments have been fully considered but they are not persuasive. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any response to this action should be mailed to:

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The centralized fax number is 703 872-9306.

The centralized hand carry paper drop off location is:

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03

Any inquiry of a general nature or relating to the status of this application should be directed to the technology center receptionist whose telephone number is (703) 306-5631.

Direct any inquiries concerning drawing review to the Drawing Review Branch (703) 305-8404.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold Kim whose telephone number is 703-305-1948. The examiner can normally be reached on Monday-Thursday 6AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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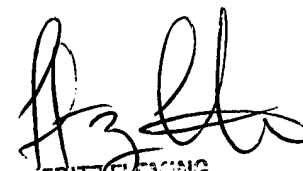
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HK

Harold J. Kim

Patent Examiner

May 31, 2004/HK

  
FRITZ FLEMING  
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